

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHERYL M. SMITH,

Plaintiff,

v.

**Case No.: 2:18-cv-287
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

**NANCY A. BERRYHILL,
ACTING COMMISSIONER
OF SOCIAL SECURITY,**

Defendant.

ORDER

This case is before the Court on the Joint Motion to Remand this case to the Commissioner of Social Security. (Doc. 11). The parties jointly stipulate that this matter should be remanded to the Commissioner of Social Security for further proceedings, pursuant to Sentence Four of Section 205 of the Social Security Act, 42 U.S.C. § 405(g), and to enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure¹.

Upon remand, the Appeals Council will vacate all findings in the Administrative Law Judge's decision. The Commissioner will conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, hold a new hearing, and then issue a new decision.

¹ Pursuant to *Shalala v. Schaefer*, 509 U.S. 292, 302-03 (1993), a sentence four remand is a final judgment, and the court should direct the clerk to enter judgment on a separate document, pursuant to Fed. R. Civ. P. 58, remanding the case to the Social Security Administration.

Accordingly, pursuant to the Joint Motion to Remand, this action is remanded for further proceedings. The Clerk of this Court shall terminate Document 11, enter final judgment, and close this case.

IT IS SO ORDERED.

/s/ *George C. Smith*
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT